

28386. Shelled pecans. (F.D.C. No. 47298. S. No. 19-374 T.)

QUANTITY: 1,350 30-lb. cases at El Paso, Tex.

SHIPPED: 1-25-62, from Las Cruces, N. Mex., by Stahmann Farms, Inc.

LABEL IN PART: (Case) "Large Pieces Fancy Del Cerro Shelled Pecans Stahmann Farms, Inc., Las Cruces, New Mexico."

LIBELED: 4-12-62, W. Dist. Tex.

CHARGE: 402(a)(3)—contained *E. coli* when shipped.

DISPOSITION: 5-1-62. Consent—claimed by the shipper and reprocessed to be brought into compliance with the law.

28387. Shelled pecans. (F.D.C. No. 47487. S. No. 25-719 T.)

QUANTITY: 40 cases, 30 lbs. each, at New Paris, Ind.

SHIPPED: 1-22-62, from Searcy, Ark., by Thompson Co., Inc.

LIBELED: 5-11-62, N. Dist. Ind.

CHARGE: 402(a)(3)—when shipped, contained rodent hairs and *E. coli*, an organism which indicates pollution of fecal origin and consequently contamination with filth.

DISPOSITION: 7-18-62. Default—delivered to a public institution for animal feed.

28388. Shelled pecans and shelled walnuts. (F.D.C. No. 47454. S. Nos. 31-662/3 T.)

QUANTITY: 108 4-oz. bags of pecans, and 72 4-oz. bags of walnuts, at Phoenix, Ariz.

SHIPPED: 3-29-62 and 4-12-62, from Anaheim, Calif., by Laura Scudder's, Inc.

LABEL IN PART: (Bag) "Laura Scudder's Diced Pecans [or "Diced Walnuts"] Packed by Laura Scudder's, Los Angeles, Oakland, Fresno, Salt Lake City, Phoenix."

RESULTS OF INVESTIGATION: The manufacturer's name and address and the statement of quantity of contents on the label were inconspicuous due to lack of contrast with the background, since the products were contained in clear cellophane bags on which these statements were printed in ink of a color similar to the product.

LIBELED: 4-23-62, Dist. Ariz.

CHARGE: 403(f)—when shipped, the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of contents were not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 6-14-62. Default—delivered to a charitable institution.

28389. Shelled pecans. (F.D.C. No. 46682. S. No. 59-470 R.)

INFORMATION FILED: 1-30-62, N. Dist. Ill., against John B. Sanfilippo & Son, Inc., Chicago, Ill., and Jasper B. Sanfilippo, treasurer.

ALLEGED VIOLATION: Between 3-18-61 and 3-30-61, while shelled pecans were being held for sale after shipment in interstate commerce, the defendants caused the articles to be prepared and packed under insanitary conditions which acts resulted in the articles being adulterated.